IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 287 OF 2005

Mr. Vasudev Ramnath
Karapurkar ... Petitioner

versus

The Government of Goa
through Chief Secretary
and others. ... Respondents

Mr. Arun Bras De Sa, Advocate for the Petitioner.

Mr. S. S. Kantak. Advocate General with Ms. W. Coutinho, Government Advocate for Respondent Nos.1, 3 to 5.

Mr. S. D. Padiyar, Advocate for Respondent No.2.

Mr. V. A. Lawande, Advocate for Respsondent No.6(a) to (d).

CORAM : R. M. LODHA &
N. A. BRITTO, JJ.

DATE : 30TH AUGUST, 2005.

P.C.:-

Heard.

During the course of motion hearing, the learned

Counsel for the Respondent Nos.6(a) to (d) handed an Affidavit of Suresh Gajanan Lawanis(Respondent No.6(c)). The said Affidavit is taken on record. The following statements have been made in the Affidavit:

> "2. I say that I undertake to make an application for obtaining electricity and water connection in respect of the premises bearing House No. 40, situated in property surveyed under No.17/26 of the village Bicholim, Goa to the competent authorities within a period of 15 days from today.
>
> 3. I say that I will comply with all the other formalities required towards obtaining the said electricity and water connection to the aforesaid premises".

We accept the undertaking of the Respondent No.6(c) on behalf of himself as well as the Respondent Nos.6(a), (b) and (d) that an application for obtaining electricity and water connection in respect of the premises bearing House No.40

situated in property surveyed under No.17/26 of the village Bicholim, Goa shall be made by him to the competent Authorities within 15 days from today. We also accept the undertaking of the said Respondent for complying with all necessary formalities for the electricity and water connection to the aforesaid premises.

We deem it fit to direct that before electricity and water connection are released, the Executive Engineer of the Electricity Department and the Public Works Department shall verify whether the subject premises are in actual possession and occupation of the Petitioner or not. If it is found that the Petitioner is in possession and occupation of the subject premises, on completion of all requisite formalities, the concerned Authorities of the Eletricity Department and Public Works Department shall release electricity and water connection. It shall be the obligation of the Petitioner to pay consumption charges.

It is clarified that provision of electricity and water connection in the subject premises shall not create any right or interest in favour of the Petitioner and that the pending proceedings between the parties in respect

of the subject premises shall be decided uninfluenced by this arrangement of providing electricity and water connection.

Writ Petition is disposed of in the aforesaid terms.

R. M. LODHA, J.

N. A. BRITTO, J.

RD.